

**Request for Authorization to
Initiate ATSC 3.0 Service and Establish ATSC 1.0 Simulcast Host**

**KSBB-CD, Santa Barbara, CA (Facility Id. 60639)
KEYT-TV, Santa Barbara, CA (Facility Id. 60637)**

NPG of California, LLC (the “Applicant”), licensee of KSBB-CD, Santa Barbara, CA (“KSBB-CD”) and KEYT-TV, Santa Barbara, CA (“KEYT-TV”), hereby requests experimental special temporary authority to initiate ATSC 3.0 service on KSBB-CD and establish KEYT-TV as KSBB-CD’s ATSC 1.0 simulcast host.

While the Commission’s *Next Gen TV* rules are now in effect, including Section 73.6029 (effective July 17, 2018), the instant request is filed in the form of an Application for Experimental Special Temporary Authority pursuant to the Commission’s Public Notice in DA 18-736 because the Commission has not completed changes to its electronic filing system to accommodate applications for authorizations to commence ATSC 3.0 operations, which such changes are not expected to be completed until the beginning of 2019.¹

The Proposed Operation Would Comply With the New ATSC 3.0 Rules

As required under Section 73.6029 and the Commission’s pending changes to the form CLASS A NEXT GEN TV LICENSE APPLICATION – FCC FORM 2100, SCHEDULE D,² the Applicant hereby submits the following information together with the attached Engineering Statement in support of the instant request:

(a) *Originating Station:* The station proposing to convert to ATSC 3.0 is as follows:

- (i) *Call Sign:* KSBB-CD
- (ii) *Facility ID:* 60639
- (iii) *Community of License:* Santa Barbara, CA
- (iv) *Channel Number:* 17 (RF and Virtual)
- (v) *Designated Market Area (DMA):* Santa Barbara-Santa Maria-San Luis Obispo, CA
- (vi) *Station technical data in the applicant station’s current license authorization:*

34° 24' 35.9" N Latitude (NAD83)
119° 42' 28.4" W Longitude (NAD83)

¹ *Next Gen TV Rules Receive OMB Approval*, Public Notice, DA 18-736 (July 17, 2018).

² *Next Gen TV/ATSC 3.0 Local Simulcasting Rules; 47 CFR §§ 73.3801 (full-power TV), 73.6029 (Class A TV), and 74.782 (low-power TV) and FCC Form 2100 (Next Gen TV License Application)*, Supporting Statement (Form Data Elements Appendix: Modifications to FCC Form 2100 to Enable Next Gen TV), OMB Control Number: 3060-1254 (May 2018).

ERP: 15 kW³
HAAT: -44 meters
AMSL: 134 meters
AGL: 11 meters

(b) *No Request for Waiver of Simulcast Requirement:* The Applicant does not seek waiver of the Commission's ATSC 1.0 simulcast requirement under Section 73.6029(a).

(c) *Host Station:* The Applicant's proposed ATSC 1.0 simulcast host is as follows:

- (i) *Call Sign:* KEYT-TV
- (ii) *Facility ID:* 60637
- (iii) *Community of License:* Santa Barbara, CA
- (iv) *Channel Number:* RF 27 / Virtual 3
- (v) *Designated Market Area (DMA):* Santa Barbara-Santa Maria-San Luis Obispo, CA
- (vi) *Technical data in the host station's current license authorization:*

34° 31' 32.0" N Latitude (NAD83)
119° 57' 32.0"W Longitude (NAD83)
ERP: 250 kW
HAAT: 918
AMSL: 1252
AGL: 24

(d) *Coverage Requirements for ATSC 1.0 Simulcast Signal:* As provided in the attached Engineering Statement and pursuant to Section 73.6029(c), the Applicant will maintain the ATSC 1.0 contour coverage requirement by (1) maintaining contour overlap between the protected contour of its existing and proposed 1.0 signal; (2) not relocating its 1.0 simulcast signal more than 30 miles from the reference coordinates of its current antenna reference coordinates; and (3) partnering with a simulcast host that is assigned to the same DMA.

(e) *Qualification for Expedited Processing:* As provided in the attached Engineering Statement, the Applicant QUALIFIES FOR EXPEDITED PROCESSING pursuant to Section 73.6029(f)(6) because the ATSC 1.0 simulcast proposed to be aired on KEYT-TV would serve at least 95 percent of the predicted population served by KSBB-CD's original ATSC 1.0 facility. The attached Engineering Statement provides the following information as required under Section 73.6029(f)(6)(ii):

- (i) The predicted population within the noise limited service contour (NLSC) served by KSBB-CD's original ATSC 1.0 facility.

³ As authorized per construction permit in LMS File Number 0000035689, granted January 9, 2018.

- (ii) The predicted population within the NLSC served by KSBB-CD's original ATSC 1.0 facility that will lose ATSC 1.0 service as a result of the local simulcasting arrangement.
- (iii) Contour overlap map identifying areas of service loss.

(f) *Simulcasting Requirement and Agreement:*

- (i) KSBB-CD and KEYT-TV are both owned by and licensed to the Applicant, and as such, the Applicant has authority from KEYT-TV to file this application.
- (ii) As commonly owned and licensed stations, KSBB-CD and KEYT-TV have not entered into a formal local simulcast agreement. To the extent necessary, the Applicant respectfully requests waiver of the simulcasting agreement requirement in Section 73.6029(e) due to such common ownership for purposes of the instant request for experimental special temporary authority.⁴
- (iii) The Applicant hereby certifies that KSBB-CD will comply with the local simulcasting programming requirement under Section 73.6029(b).

(g) *Commencement of Operations Information:*

- (i) The Applicant estimates that it will commence ATSC 3.0 and ATSC 1.0 simulcast operation on October 10, 2018.
- (ii) The Applicant hereby certifies that it understands (a) it is not to commence ATSC 3.0 or ATSC 1.0 simulcast operations until the instant application is granted and (b) it has 180 days to commence operations under its modified license upon grant of the instant Application.

(h) *Viewer and MVPD Notice Requirement:*

- (i) The Applicant hereby certifies that it will comply with the consumer education requirements pursuant to Section 73.6029(g).
- (ii) KSBB-CD is not carried by any MVPDs. Accordingly, Section 73.6029(h) is not applicable to the instant request.

- (i) *General Certification:* The Applicant hereby certifies that it will comply with all applicable FCC technical and programming rules on its ATSC 3.0 signal and its ATSC 1.0 simulcast signal.

In particular, the Applicant certifies that both KSBB-CD's ATSC 1.0 simulcast signal and its ATSC 3.0 signal will comply with all programming, technical, and operational obligations applicable to a Class A television licensee, including the obligation to broadcast a minimum of at least 18 hours per day and air an average of at least three hours per week of locally produced programming each quarter.

⁴ See Letter from Barbara A. Kreisman, Chief, Video Division to Unimas Partnership of Phoenix licensee of KFPH-CD, Phoenix, AZ (March 29, 2018), n.3.

Based on the foregoing information and certifications, the proposed operation would satisfy the requirements contained in the Commission's rules, including Section 73.6029, and the Commission's Report and Order in *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (2017).

Experimental Special Temporary Authority Is Warranted Pending
the Commission's Acceptance of ATSC 3.0 Applications

The Applicant desires to commence ATSC 3.0 operation prior the time by which the Commission expects to start accepting ATSC 3.0 applications in order for the Applicant to commence testing and experimentation with ATSC 3.0 for the purpose of product development and market trials.

The Applicant's objectives with its proposed product development and market trials are to test new business models using ATSC 3.0, develop best practices for optimizing ATSC 3.0, test consumer devices, and provide an opportunity for real-time consumer input on the ATSC 3.0 consumer experience. In connection with such testing and market trials, the Applicant will deploy consumer devices in test locations at no cost to the viewers participating in the testing and market trials.

The Applicant's proposed experimental operation should have no impact on the television repack or the carriage of KSBB-CD by MVPDs. Neither KSBB-CD nor KEYT-TV were reassigned new television channels in connection with the reallocation of broadcast television spectrum following the conclusion of the television spectrum incentive auction. And, as noted above, KSBB-CD is not carried by any MVPDs.

The Applicant contemplates that other stations in the Santa Barbara DMA may desire to participate with the Applicant in the ATSC 3.0 market trial. In such case, the Applicant understands that any such other station must file its own application for experimental authority.

The Applicant's proposed ATSC 3.0 operation, research, and experimentation will serve the public by contributing to the development of broadcasting technologies while complying with all recently adopted and effective applicable rules. Accordingly, experimental special temporary authority is warranted in accordance with Part 5, Subparts D and H, of the Commission's rules.⁵

For the foregoing reasons, the Applicant respectfully requests experimental special temporary authority to initiate ATSC 3.0 service on KSBB-CD and establish KEYT-TV as KSBB-CD's simulcast host.

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⁵ 47 CFR § 5.201 *et seq.*; 47 CFR § 5.601; and 47 CFR § 5.602.